



Attorney Docket: AVID.13-3

2/22
J. Sanford
9-10-02
15/Elect.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: LUMPKIN

SERIAL NO.: 09/753,978 ✓

FILED: JANUARY 3, 2001

TITLE: MECHANICAL DISC BRAKE CALIPER
FLOATING CABLE STOP FOR A
CABLE ACTUATED BICYCLE
COMPONENT

EXAMINER: KIM, CHONG

ART UNIT: 3682

CONFIRMATION NO.: 1708

Assistant Commissioner for Patents
Washington, D.C. 20231

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SEP 06 2002

GROUP 360

SUPPLEMENT TO ELECTION WITH TRAVERSE,
AMENDMENT AND REMARKS

An Office Action was mailed in the above-captioned application on March 21, 2002. At the time of this initial Office Action, claims 1-15 were pending. The pending claims were subject to a restriction requirement. An Election with Traverse; Amendments and Remarks was mailed by Applicant on May 21, 2002. On August 9, 2002, the Examiner mailed an Office Communication in response to Applicant's Amendment stating that the Election with Traverse, Amendments and Remarks was not fully responsive to the prior Office Action because Applicant failed to elect for examination a single disclosed species as required under 35 USC § 121. The Office Communication/Response to Amendment of August 9, 2002 further stated that the Election with Traverse, Amendments and Remarks mailed by Application on May 21, 2002 was a bona fide attempt to move the case forward.

Applicant submits the following supplement to the previously filed Election with Traverse, Amendments and Remarks addressing the issues raised in the Office Communication/Response of August 9, 2002:

37 CFR 1.8

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on August 27, 2002

Signature: Elizabeth A. McArthur

Name: Elizabeth A. McArthur

ELECTION WITH TRAVERSE

As set forth in detail in the previously filed Election with Traverse, Amendments and Remarks mailed on May 21, 2002, Applicant, pursuant to 37 CFR § 1.143 elects Group I drawn to a bicycle cable guide system and cancels claims 11-15 without prejudice to file a divisional application claiming the cancelled subject matter. In addition Applicant elects Group I as shown in Figures 1-3A as the species to be examined. The following claims read on the species represented by the Group I figures: 1, 2, 5, 6 and 8-10. Claims 3, 4 and 7 are hereby cancelled without prejudice to the right to file a divisional application claiming the cancelled subject matter and without prejudice to Applicant's right to examination of the cancelled claims if an allowed claim (namely claims 1 or 6) is determined to be generic.

The traverse and remarks set forth in Applicant's election with Traverse, Amendment and Remarks mailed on May 21, 2002, are incorporated herein in their entirety. In particular, Applicant submits that the claims are generic.

This constitutes a request for any needed extension of time and an authorization to charge all fees therefore to deposit account 19-5117, if not otherwise specifically requested. The undersigned hereby authorizes the charge of any fees created by the filing of this document or any deficiency of fees submitted herewith to be charged to deposit account 19-5117.

Respectfully submitted,



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cc: Wayne Lumpkin
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